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General Assembly

FIFTIETH SESSION

Official Records

SPECIAL POLITICAL AND
DECOLONIZATION COMMITTEE
(FOURTH COMMITTEE)
23rd meeting
held on
Thursday, 16 November 1995
at 3 p.m.
New York

SUMMARY RECORD OF THE 23rd MEETING

Chairman: Mr. MUTHAURA (Kenya)

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AGENDA ITEM 86: COMPREHENSIVE REVIEW OF THE WHOLE QUESTION OF PEACE-KEEPING OPERATIONS IN ALL THEIR ASPECTS (continued)

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95-82332 (E)

The meeting was called to order at 3.10 p.m.

AGENDA ITEM 86: COMPREHENSIVE REVIEW OF THE WHOLE QUESTION OF PEACE-KEEPING OPERATIONS IN ALL THEIR ASPECTS (continued) (A/49/875-S/1995/235, A/49/876, A/49/886-S/1995/276; A/50/137-S/1995/295, A/50/215-S/1995/475, A/50/230, A/50/254-S/1995/501, A/50/437, A/50/702, A/50/711-S/1995/911; and A/C.4/50/L.10*)

1. Ms. COELHO DA CRUZ (Angola) said that the United Nations Angola Verification Mission (UNAVEM III), which had been established for the purpose of assisting the peace process in Angola and achieving national reconciliation, was based on the Bicesse Accords, the Lusaka Protocol and relevant Security Council resolutions. In May 1995, the Government of Angola and the United Nations had signed an agreement on the status of peace-keeping operations, and UNAVEM III troops had subsequently been deployed in several parts of the country. Although many issues remain to be resolved, UNAVEM III was dealing with moving UNITA troops to quartering areas, disarmament, and selection of UNITA military personnel to integrate the Angolan armed forces, as well as with the demobilization of veterans returning to civilian life after undergoing vocational training.

2. Angola was grateful to the United Nations and to all States and international, governmental and non-governmental organizations that had participated in peace-keeping and humanitarian assistance activities there. The Angolan Government was ready to collaborate closely with international organizations engaging in peace-keeping and in promoting the welfare of the population.

3. Angola believed that peace-keeping operations should be conducted in accordance with the aims and principles enshrined in the United Nations Charter and with the consent, or at the request of the Member States involved. Angola supported the suggestions and recommendations formulated by the Special Committee for Peace-keeping Operations in its report on the comprehensive review of the whole question of peace-keeping operations in all their aspects (A/50/230), and particularly regarding the financing of such operations. Angola urged all Member States to pay their assessments and thereby contribute to the success of United Nations peace-keeping operations.

4. Mr. THAMER (Qatar) said that the increase in peace-keeping operations and in their complexity had generated various financial and organizational problems, for which reason it had become essential to study all aspects of such operations. Some members considered that the operations had exceeded their traditional framework by including humanitarian assistance, observance of elections and the monitoring of human rights compliance among their activities. But, in fact, such activities complemented peace-keeping operations and were necessary since conflicts in recent years had given rise to situations which, typically, featured large numbers of civilian wounded, displacement of people, violations of human rights and destruction of infrastructure in States. If peace-keeping operations did not include such activities, many of them would fail, as had occurred in Somalia and the former Yugoslavia. In order to avoid failures in the future, the United Nations should learn from the experience

acquired in all previous operations and ensure that future missions were undertaken with the consent of the parties involved and that they adhered to the principles enshrined in the Charter.

5. Qatar considered that cooperation should be promoted between the United Nations and regional organizations, which were already playing an important role in conflict solution and whose peace-keeping activities had evolved parallel to those of the United Nations. Mention might be made, in that connection, of the conflict prevention mechanism established by the Organization of African Unity, which was a useful instrument in preventive diplomacy.

6. Mr. PRICKETT (Australia) said that, in assessing the value and future role of United Nations peace-keeping, account should be taken of the horrors that occurred when the political will to respond to conflicts was absent. The United Nations should build stronger machinery to prevent conflict and operate as an active agent for the resolution and management of disputes, as envisaged in Article 33 of the Charter.

7. His delegation supported the recommendations contained in the Secretary-General's report on improving preparedness for conflict prevention and peace-keeping in Africa (A/50/711). However, the United Nations should not fail to fulfil its obligations in the areas of preventive diplomacy and peace-keeping. The Security Council should apply uniform criteria to peace-keeping operations in different regions, in order to ensure that its credibility and authority were not impaired.

8. Regarding the financial crisis experienced by peace-keeping operations, he suggested that it was unacceptable that the largest United Nations Member State contributor should continue to destabilize its operations. Australia rejected a unilateral decision by any Member State to alter its agreed level of assessment, which could only be effected through negotiations among all Member States. Troop-contributing States were particularly hard hit by the crisis and in some cases would be unable to continue to participate in United Nations peace-keeping operations, thus affecting the universal character of such operations and their composition.

9. The mandates formulated by the Security Council for peace-keeping operations must be realistic and achievable. The last few years had provided too many examples of politically influenced Security Council mandates, which had not been viable in the field and which had lacked clarity regarding goals and reasonable time-frames. Consultation between the Security Council and troop contributors should be formalized. He believed that the time was right to rectify the problem of the lack of adequate military advice to the Security Council. He welcomed the Secretariat's work on the United Nations Stand-by Arrangements, which Australia had joined, and considered that the Special Committee on Peace-keeping Operations should study the proposals regarding the United Nations rapid reaction capability.

10. The organization and planning capacity of the United Nations should continue to be enhanced. Should the United Nations capacity and resources to meet those requirements be diminished, the Organization would not be able to respond appropriately to threats of conflict or crisis. It should also be

recognized that peace-keeping operations would improve only if appropriate conditions were created, both within the Secretariat and on the ground. Hence, the advances achieved by the Department of Peace-keeping Operations over the past two years should be maintained. Australia did not consider that the Department should reduce or cease to use the services of its military experts.

11. Mrs. BANTSI (Botswana) said that, as a result of the conflicts that had emerged in recent years, the United Nations had been obliged to make critical decisions in relation to peacemaking, peace-building and peace-keeping. The effectiveness of peace-keeping missions depended, to a significant extent, on the willingness of the parties to the conflict to establish and maintain a peaceful, stable and secure environment and their readiness to cooperate with the Security Council. Botswana considered that the Council should be expanded to make it more representative and that its operations should become more transparent. Membership of the Special Committee should also be expanded as soon as possible. No peace-keeping operation was possible without adequate resources. Her delegation therefore urged all Member States to pay their assessments on time and in full.

12. Recent conflicts had tested the ability of the United Nations to respond promptly to crisis situations. Obviously, a time-lag occurred between the Security Council's decision to send peace-keeping missions and the deployment of troops. A number of proposals had been put forward on how to shorten the reaction time of the Department of Peace-keeping Operations, including the establishment of a permanent rapid deployment brigade. While her delegation fully appreciated the reasoning behind that proposal, it nevertheless had reservations about its practical operation and considered that introduction of a United Nations Stand-by Arrangements System was a more viable solution.

13. Despite the length of time it took the United Nations to respond to a crisis situation, the successes achieved in Cambodia, El Salvador and Mozambique should not be forgotten. Likewise, the missions in Angola and Haiti were making steady progress towards a successful conclusion. Botswana had participated in several operations, contributing 700 troops to the United Nations Operation in Somalia (UNOSOM), 1,000 troops to the United Nations Operation in Mozambique (ONUMOZ) and 9 troops to Rwanda under the Uganda/Rwanda Observer Mission.

14. She appreciated the importance attributed by the Secretary-General in his report to regional agreements and to the role that could be played by the Organization of African Unity (OAU) in conflict prevention and peace-keeping. The OAU member States were also United Nations Member States, and their conflicts should be treated in the same manner as any other international conflicts.

15. Mr. ZIMMERMAN (Observer for the International Committee of the Red Cross (ICRC)) said that the operations currently being organized or authorized by the United Nations were far more numerous and complex than in the past. In several cases, the principle of consent of the parties, which had been regarded as an essential precondition for deployment of United Nations forces, had not been observed, which had obliged th Blue Helmets to resort more and more often to force.

16. In implementing broader mandates, United Nations forces had been faced with entirely new problems. The question of the applicability of international humanitarian law to peace-keeping or peace enforcement forces was a question that preoccupied ICRC, the United Nations and the whole international community, particularly the troop-contributing States. ICRC took the view that all provisions of international humanitarian law were applicable when United Nations contingents used force, whereas in the view of the United Nations those forces were bound only by the "principles and spirit" of the humanitarian law treaties.

17. At its meeting in April 1995, the Special Committee had asked the Secretary-General to complete the elaboration of a code of conduct for the United Nations peace-keeping personnel, consistent with applicable international humanitarian law. In conformity with its mandate, ICRC had studied the possible content of such a code of conduct and had organized two meetings of experts to examine all the provisions of humanitarian law from the standpoint of their applicability to peace-keeping forces. The results of the study could be found in a document which would be the subject of informal consultations with the Secretariat and which at a later date would be submitted to the Secretary-General for circulation. The purpose of the document was to define the content and scope of the "principles and spirit" of international humanitarian law by which the United Nations had declared itself bound. ICRC trusted that the document would prove useful and that it could be distributed to all contingents engaged in peace-keeping or peace enforcement and to the troop-contributing States.

18. On the basis of its long experience of armed conflicts, ICRC was convinced that sound training in international humanitarian law had a preventive as well as an operational value. In addition, it should be emphasized that only a thorough knowledge of the rules of humanitarian law would enable United Nations troops to ensure that the parties to a conflict followed those rules and, if necessary, to report violations to the relevant authorities in order to prevent war crimes and punish those who permitted them. For that reason, ICRC considered it important to establish standard procedures for the instruction of United Nations troops and to make sure that every national contingent had received proper training before being deployed. Although the dissemination of international humanitarian law among the armed forces was one aspect of ICRC activities and it was therefore willing to cooperate in setting up dissemination programmes for the Blue Helmets, that dissemination was first and foremost the responsibility of the United Nations and the troop-contributing States.

19. Mr. SHARPLEY (South Africa) said that there was a growing understanding in the international community that peace, security and stability, as well as the prevention, management and resolution of conflicts, could not be envisaged in military terms only. Any effort to prevent or resolve conflicts required, among other things, the examination of certain issues: the promotion of human rights, democracy and good governance; the promotion of the political, economic and social well-being of the poor; the protection of the environment, the prohibition of arms proliferation and smuggling, drug trafficking, refugees, mass migration, disease, drought and other natural disasters; the legal and social status of women, the protection of children and the will to address the needs of the marginalized sectors of society.

20. Since the end of the cold war, the vast majority of conflicts had been of an intra-State nature, and many of those had taken place in Africa. His delegation supported the efforts of the international community to bring peace and stability to Africa and was fully committed to the principles of preventive diplomacy, peace-keeping and peacemaking through the use of international and regional multilateral mechanisms. It also considered that local mechanisms to assist in the prevention and resolution of conflicts in Africa should be explored. In Southern Africa, those activities should take place within the Southern Africa Development Community. At the 1993 Summit of the Organization of African Unity, a mechanism had been established for conflict prevention, management and resolution. At the 1994 Summit, South Africa had been elected to serve on the central organ of that mechanism. Whereas in the past, neighbouring States had been wary of South Africa's military strength, South Africa's current deliberate policy of transparency and the concerted use of common resources to ensure regional stability should form the basis for fruitful cooperation between States in the future.

21. Africa had experienced the tragic consequences of slavery and dismemberment during colonization. Regrettably, the decolonization process, which had begun in earnest in the 1960s, had been undermined by the cold war. It was imperative that the entire continent should put behind it that period, which had been characterized by political instability, dictatorship, civil war, millions of refugees and internally displaced persons, persistent economic decline and the impoverishment of millions of people. As President Mandela had pointed out in his address to the United States Congress, the world was a stage and the actions of its inhabitants were part of the same drama; therefore all nations should begin to define the national interest to include the genuine happiness of others, however distant they might be. It was time to cease to treat tyranny, instability and poverty anywhere on the globe as being peripheral to the interests of any State.

22 Mr. PHANIT (Thailand) said that United Nations peace-keeping operations in the last decade involved United Nations participation in the resolution of various intra-State conflicts. Its involvement had also extended to national political reconstruction, the supervision of elections and humanitarian assistance. That had given rise to differences of opinion on, for example, the lack of a clear distinction between peace-keeping activities and coercive measures or on the question of impartiality.

23. The issue of United Nations peace-keeping operations had aroused great interest at the Eleventh Conference of Heads of State or Government of Non-Aligned Countries, held in Cartagena, Colombia, in October 1995. In the final document issued by the Conference, the participants had reaffirmed their belief that the primary responsibility for international peace and security lay with the United Nations, and they had made significant observations which Thailand fully supported. One such observation which deserved to be emphasized said that the proliferation of peace-keeping operations was producing an imbalance in the United Nations between resources allocated to those operations and resources intended for development activities.

24. He cited the case of Cambodia, where the principle of consent of the parties had figured prominently in the process of political settlement. The

agreement reached between the four Cambodian factions in Paris in 1991 had paved the way for the establishment of the United Nations Transitional Authority in Cambodia (UNTAC). However, the exclusion of one of the factions from the final process of conflict settlement almost led to violence and the use of force and could have resulted in the failure of UNTAC. In addition, the experiences of the United Nations Iraq-Kuwait Boundary Commission (UNIKOM), the United Nations Guards Contingent (UNGCI) and UNTAC had shown that peace-keeping operations required preparation, a practical plan of action, a clearly defined mandate, a precise time-frame, clear objectives, secure financing and adequate resources.

25. While the Security Council bore primary responsibility for the maintenance of international peace and security, that responsibility should be shared by the General Assembly, particularly in areas such as the assessment of the effectiveness of operations in implementing their mandates, coordination between competent United Nations bodies and the formulation of guidelines and principles for those operations. Consultation was an important element for the success of peace-keeping operations; his delegation therefore welcomed the commitment to consultation between the Security Council, the Department of Peace-keeping Operations of the Secretariat and troop-contributing countries. Countries directly affected by the situation should also be kept informed and consulted at all stages of planning, management and coordination, as had been borne out by his Government's experience during the UNTAC operation in Cambodia, when some difficulties had been experienced with troops in transit and on leave.

26. On the issue of finance, his delegation supported the point raised by the President of the General Assembly on the need to re-examine the general peace-keeping policy of the United Nations. It was convinced that it would be appropriate to endeavour to curtail the increasing expenses of United Nations peace-keeping and related operations which currently accounted for a large part of the Organization's financial difficulties. He reiterated that all Member States had a moral obligation to pay their contributions in full and on time.

27. With regard to the Special Committee on Peace-keeping Operations, he said that the question of peace-keeping operations was of vital interest to Member States, that there were currently more than 80 troop-contributing countries and that the Special Committee was the only forum in which Member States could consider the question. As a result, his delegation was of the opinion that the Special Committee should be expanded and should become an open-ended working group where all interested States could participate on an equal footing.

28. Mr. VAHER (United Nations Children's Fund (UNICEF)) said with reference to the Joint Inspection Unit (JIU) report on the investigation of the relationship between humanitarian assistance and peace-keeping operations (A/50/572) that it was necessary to develop field operational guidelines for humanitarian activities and peace-keeping operations collaboration in areas such as training and joint strategy development and cooperation with national peace-keeping contingents. The report highlighted the distinguishing features of the various humanitarian agencies and their mandates. He noted that JIU was preparing another study on the involvement of the United Nations system in providing and coordinating humanitarian assistance and mentioned UNICEF's interest in being involved in the process of preparing the report.

29. With reference to the need for further coordination between the various actors and agencies and also between the field and Headquarters activities, UNICEF was currently preparing memoranda of understanding with the Office of the High Commissioner for Refugees (UNHCR) and the World Food Programme (WFP) in order to be in a position to respond efficiently to complex emergencies in collaboration with its United Nations partners. UNICEF viewed the Inter-Agency Standing Committee (IASC) as the major instrument for coordinating policy issues related to humanitarian assistance. All recommendations contained in the JIU report should be viewed in a context consistent with the approach developed by IASC.

30. With respect to JIU Recommendation 4, UNICEF strongly concurred with the involvement of academic institutions and centres of excellence in exchanging ideas which would help to formulate and strengthen its policies and strategies in dealing with complex emergencies. UNICEF placed great importance on its collaboration with non-governmental organizations in the field and was currently reformulating and improving the memoranda of understanding covering its cooperative relationship with them in emergency situations.

31. UNICEF also agreed with Recommendation 10 on the safety of United Nations and associated humanitarian personnel and, in the recent Review Conference of the States Parties to the Convention on Prohibitions or Restrictions on the Use of Certain Conventional Weapons Which May Be Deemed to Be Excessively Injurious or to Have Indiscriminate Effects, had emphasized the need for Member States to afford protection against land-mines to staff of United Nations agencies and other humanitarian workers in the field. UNICEF also urged United Nations agencies to provide protection and assistance to civilians on all sides. It gave high priority to the need to establish clear lines of responsibility among the various United Nations agencies. With respect to coordination in the field, it fully endorsed the progress made in IASC and in particular the work the Committee had done in developing criteria for the selection of humanitarian coordinators in emergency situations.

32. UNICEF also strongly supported Recommendation 6 on human rights and the protection of those rights in complex emergencies. It was currently supporting the Graca Machel study on children in armed conflict and was working closely with the Committee on the Rights of the Child in monitoring accession to the Convention on the Rights of the Child.

33. Mr. GAMBARI (Nigeria) said that the agenda item under discussion was of particular interest to his delegation, not only because Nigeria was chairing the Special Committee on Peace-keeping Operations, but also because it was a major troop contributor to United Nations peace-keeping operations. The international community must not falter in its quest for peace and security through preventive diplomacy, peacemaking and strategies for socio-economic development. When it became obvious that peace-keeping operations would have to be established and deployed, mandates must be clearly defined and command and control structures unified. Peace-keeping operations should take place in accordance with the principles of respect for the sovereign equality and territorial integrity of the States concerned. The consent of parties should always be obtained in all aspects of peace-keeping operations which must remain distinct from peace-enforcement activities.

34. His delegation welcomed the efforts of the Secretariat to establish rapid reaction capabilities and the creation of a system of stand-by arrangements. His Government had concluded an agreement with the Secretariat to provide a unit for the system. It also welcomed the arrangements for consultation between the Security Council, the Secretariat and troop contributors and hoped that they would be still further developed.

35. His Government's experience in West Africa had shown that it was vital to improve cooperation between the United Nations and the regional organizations and arrangements for maintaining international peace and security, including peace-keeping operations. With regard to the safety and security of peace-keepers, his delegation welcomed the adoption of the resolution on the Convention on the Safety of United Nations and Associated Personnel and urged that it should be given practical application. The issue of compensation for those wounded or killed in action during United Nations assignments should also be looked at closely.

36. Adequate funding for peace-keeping operations was not only vital to enable the operations to fulfil their mandates but also had a bearing on the reimbursement of troop contributors. Peace-keeping operations should continue to be funded through assessed contributions. His delegation urged Member States to pay their contributions promptly, in full and without conditions and opposed suggestions that operations should be financed through voluntary contributions, duly authorized by the Security Council.

37. His delegation wished to reiterate its concern regarding an apparent trend towards selective treatment of crises in different regions of the world. The United Nations and its Member States must remain even-handed and impartial in responding to conflicts throughout the world.

38. Mr. TAKHT-RAVANCHI (Islamic Republic of Iran) said that the unprecedented growth in the number of peace-keeping operations had strained the financial capacities of the United Nations. There was a growing awareness among Member States of the need to establish clearly a set of principles and guidelines to govern all United Nations peace-keeping operations. The principles and guidelines adopted by the recent Conference of Heads of State or Government of the Non-Aligned Countries, held in Cartagena, and at the Eleventh Ministerial Conference of the Non-Aligned Movement, held in Cairo in 1994, should be followed in all peace-keeping operations; the latter should be distinct from other United Nations activities, such as humanitarian assistance.

39. Full transparency was required in both the establishment and composition of peace-keeping operations. Equitable opportunities should be ensured to facilitate the widest possible participation of Member States, not only in the operations, but also in all mechanisms existing in the Secretariat for command, control and other aspects of such operations. The Islamic Republic of Iran was ready in principle to participate in United Nations peace-keeping operations in accordance with the fundamental principles of the Charter of the United Nations.

40. Peace-keeping operations should be established with clear mandates and should not evolve into operations of a military nature. The practice of allowing a State or group of States to operate on behalf of the United Nations

could affect the credibility of the Organization. Resources for peace-keeping activities should not be provided at the expense of the development activities of the United Nations. The role of the General Assembly regarding all aspects of peace-keeping operations should be enhanced. His delegation believed that the expansion of the membership of the Special Committee could be helpful in that regard and supported changing it to an open-ended Committee. He hoped that the Special Committee would make recommendations on expansion which the General Assembly would be able to endorse without a vote at its next session.

41. Mr. RAI (Nepal) said that his delegation, too, wanted to see an expansion in the membership of the Special Committee in order to render it more representative. Membership should be extended to all the troop-contributing countries, including his own.

42. Nepal had a long and ongoing history of participation in peace-keeping operations such as those of the United Nations Observation Group in Lebanon, the United Nations Emergency Force, the United Nations Operation in Somalia and, currently, the United Nations Peace Forces, the United Nations Interim Force in Lebanon and the United Nations Mission in Haiti. Nepal had consistently committed its troops, military observers and civilian police personnel, many of whom had lost their lives in the performance of their duties.

43. Given the multiple functions performed by United Nations peace-keeping forces, it was important that the mandates of new operations should be clearly defined, while strictly adhering to the principles and purposes of the Charter. His delegation welcomed the measures taken to streamline the Department of Peace-keeping Operations and supported the Secretary-General's actions to develop the system of stand-by arrangements.

44. Timely and full payment by Member States of their assessed contribution was essential, since lack of funds had rendered the United Nations unable to reimburse the troop-contributing countries. The withholding of reimbursements not only shifted the burden from the rich countries to the poor ones, but also made it difficult for the latter to participate.

45. The safety of the United Nations personnel involved in the various peace-keeping operations should be a primary concern of the international community. Nepal was happy at the adoption of the Convention on the Safety of United Nations and Associated Personnel and hoped that it would come into force as early as possible. Equally important was the question of death and disability compensation. Nepal had long been drawing attention to the fact that current arrangements for payment of compensation to the families of peace-keeping personnel who had been killed or wounded had been inadequate and discriminatory. By adopting resolution 49/233 the General Assembly had endorsed the principle of equal treatment of Member States and called for the simplification of administrative arrangements to enable the speedy settlement of compensation claims; however, there was as yet no uniform standard of compensation. Nepal wished to reiterate that the payment should be made on the principle of equal compensation for equal work.

46. Peace-keeping operations could only be a temporary arrangement for the maintenance of international peace and security, which would remain an

unattainable goal without real progress in the areas of social and economic development. It was imperative to restore the balance between the political and military activities of the United Nations and its economic and social programmes.

47. Mr. SARRIS (Greece), speaking in exercise of the right of reply, said that at the previous meeting the representative of the former Yugoslav Republic of Macedonia had used the wrong name for his country. In that context he drew attention to Security Council resolution 817 (1993).

48. Mr. TASOVSKI (The former Yugoslav Republic of Macedonia), speaking in exercise of the right of reply, said that the representative of Greece put an incorrect interpretation on Security Council resolution 817 (1993); nowhere did that resolution state that the official name of his country - the Republic of Macedonia - could not be used.

49. Mr. SARRIS (Greece), speaking in exercise of the right of reply, said that the resolution did not need interpretation, since it was very clear on the matter.

Draft resolution A/C.4/50/L.10*

50. Mr. KARSGAARD (Canada), reflecting the general view of the members of the Committee, proposed a revision to draft resolution A/C.4/50/L.10*. He suggested that the following paragraph should be inserted after the seventh preambular paragraph:

> "Taking note of the report of the Secretary-General on improving preparedness for conflict prevention and peace-keeping in Africa and the recommendations therein, which should be considered further in consultation with the Organization of African Unity,"

together with the corresponding footnote.

51. Draft resolution A/C.4/50/L.10*, as orally revised, was adopted without a vote.

52. The CHAIRMAN said that the Committee had concluded its consideration of agenda item 86.

The meeting rose at 5 p.m.

UNITED NATIONS

General Assembly

FIFTIETH SESSION

Official Records

SPECIAL POLITICAL AND DECOLONIZATION COMMITTEE (FOURTH COMMITTEE)
24th meeting
held on
Friday, 17 November 1995
at 3 p.m.
New York

SUMMARY RECORD OF THE 24th MEETING

Chairman: Mr. MUTHAURA (Kenya)

later: Mr. HOLOHAN (Ireland)
(Vice-Chairman)

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AGENDA ITEM 85: REPORT OF THE SPECIAL COMMITTEE TO INVESTIGATE ISRAELI PRACTICES AFFECTING THE HUMAN RIGHTS OF THE PALESTINIAN PEOPLE AND OTHER ARABS OF THE OCCUPIED TERRITORIES

This record is subject to correction. Corrections should be sent under the signature of a member of the delegation concerned *within one week of the date of the publication* to the Chief of the Official Records Editing Section, room DC2-794, 2 United Nations Plaza, and incorporated in a copy of the record.

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The meeting was called to order at 3.25 p.m.

AGENDA ITEM 85: REPORT OF THE SPECIAL COMMITTEE TO INVESTIGATE ISRAELI PRACTICES AFFECTING THE HUMAN RIGHTS OF THE PALESTINIAN PEOPLE AND OTHER ARABS OF THE OCCUPIED TERRITORIES (A/50/82-S/1995/135, A/50/159-S/1995/312, A/50/168, A/50/170, A/50/176-S/1995/376, A/50/191-S/1995/418, A/50/282, A/50/463 and A/50/657-660)

1. Mr. de SILVA (Sri Lanka), speaking as Chairman of the Special Committee to Investigate Israeli Practices Affecting the Human Rights of the Palestinian People and other Arabs of the Occupied Territories, introduced the twenty-seventh report of the Special Committee (A/50/463), which covered the period from 27 August 1994 to 18 August 1995 and should be considered together with the Special Committee's two periodic reports (A/50/170 and A/50/282).

2. The signing at Cairo on 4 May 1994 of the Agreement on the Gaza Strip and the Jericho Area and the subsequent establishment of the Palestinian National Authority had given rise to high hopes for the improvement of the human rights situation in the occupied territories. An additional historic step in the Middle East peace process had been the signing of the Oslo II agreement in September 1995. Nevertheless, the recent assassination on 4 November 1995 of Prime Minister Yitzhak Rabin of Israel had threatened the peace process. Despite that deplorable event, it was encouraging that the withdrawal of Israeli military forces from the West Bank town of Jenin had proceeded as planned. Unfortunately, however, the Government of Israel had continued to refuse to cooperate with the Special Committee, denying it access to the occupied territories.

3. The Special Committee had heard the testimony of 26 persons with first-hand knowledge of the human rights situation in the occupied territories and had benefited once again from the cooperation of the Governments of Egypt, Jordan and the Syrian Arab Republic and of various Palestinian representatives. Furthermore, in May 1995, the Special Committee had undertaken its customary field mission to the countries mentioned.

4. In its report, the Special Committee had tried to determine whether the positive political developments in the region had led to an improvement in the human rights situation and in the daily lives of Palestinians and other Arab inhabitants of the occupied territories. The Special Committee had concluded that the situation had not improved and had even deteriorated in many respects (A/50/463, para. 712). The repeated closures of the occupied territories, which had been imposed after serious security incidents, had entailed a significant deterioration of the economic and social situation in the occupied territories, undermined the support of the Palestinian population for the peace process and led to a significant reduction in the number of Palestinians allowed to work in Israel. In addition, the restrictions imposed on the freedom of movement of the population of the occupied territories had had adverse consequences for health, education and freedom of worship. Also, despite the arrangements for safe passage between the Gaza Strip and the Jericho Area contained in the Cairo agreement, those corridors had remained closed. An equally important factor was the unabated expropriation of land, mainly for the construction of bypass roads

and the expansion of settlements, which had been accelerated after the signing of the Oslo and Cairo agreements, and was still being financed by the private sector. The Special Committee had also noted with concern the archaeological excavations in Jerusalem, which had endangered the Al-Aqsa Mosque. In addition, the severe restrictions on access to the city had seriously jeopardized the freedom of worship of both Muslims and Christians.

5. The Israeli authorities had intensified their efforts to restrict Palestinian activities in East Jerusalem. In July 1995, it had been decided not to allow any new Palestinian students from the occupied territories to study at higher educational institutions in East Jerusalem.

6. One of the principal sources of tension in the occupied territories had been the violent and aggressive behaviour of the settlers, especially in Hebron, where they had attacked Palestinians and vandalized their property, in most cases with complete impunity. Nevertheless, the overall level of violence and the number of deaths in the occupied territories had declined although the activities of undercover units had continued, including in areas under the control of the Palestinian National Authority.

7. The number of Palestinian prisoners in Israeli detention facilities remained high, and the conditions of detention had deteriorated since the signing of the Oslo and Cairo agreements. The so-called "exceptional dispensations" accorded to the general security service were a source of particular concern. During the period covered by the report, the Special Committee had continued to note deficiencies in the administration of justice, notably in the severity of sentences handed down to Palestinians in comparison with those meted out to Israelis. The inhabitants of the occupied territories had continued to be subjected to harassment of both an administrative and a physical nature from the Israeli authorities, especially at checkpoints.

8. There had been no significant change in the human rights situation in the Syrian Arab Golan, where settlement activity had been pursued. Moreover, the land and water resources of the Arab population were still being confiscated. The Special Committee hoped that the negotiations concerning the Syrian Arab Golan within the framework of the Middle East peace process would continue to progress.

9. The Special Committee welcomed several positive developments: the transfer to the Palestinians of additional responsibilities in the fields of statistics, fuel, insurance, commerce and industry, labour and local Government; the allocation of additional water resources to the inhabitants of the occupied territories; the decrease in demolition orders for houses owned by Palestinians; the increase in approvals of requests for family reunification; and the approval of a number of requests, made by Palestinians who had been expelled by the security forces before the intifadah, to return to their homes on the West Bank.

10. However, the Israeli occupation had not ended. One of the principal obstacles to peace and to the enjoyment of human rights by the whole population of the region was the continued existence of Israeli settlements in the occupied territories which were illegal under international law. The progress in the peace process must go hand in hand with full compliance by Israel with all

relevant United Nations resolutions and all universally accepted standards of human rights.

11. Finally, the Special Committee hoped that its findings would be taken into account when determining what concrete measures needed to be taken, and that its work would be seen as a positive contribution to the peace process. It was important to maintain the momentum of the peace process, in order to ensure that all parties continued to support the process and that a truly meaningful culture of respect for human rights was created, enabling all the people of the region to live together in peace, dignity, security and mutual respect.

12. Ms. ABDELHADY (Observer for Palestine) expressed her gratitude to the Chairman and to the members of the Special Committee for preparing the report (A/50/463) currently before the Committee. She regretted that it had been issued only two days before the debate and hoped that such a situation would not recur.

13. The ongoing Middle East peace process had produced many positive developments. Under the latest Interim Agreement on the West Bank and the Gaza Strip between the Israeli and Palestinian sides, the populated areas of the West Bank would soon be under the responsibility of the Palestinian National Authority after Israeli withdrawal from those areas. However, the Israeli army would remain in large parts of the West Bank, including the areas around the illegal Israeli settlements. As such, a situation of occupation would still exist, as did the threat of violation of human rights. It was to be deplored that difficulties and violations of human rights of Palestinians persisted in the occupied territories, including Jerusalem, as a result of the restrictive and punitive policies and measures applied by Israel. Many of those measures constituted selective punishment of the Palestinian people, in violation of a number of international human rights instruments.

14. The practices of sealing or demolishing Palestinian homes, imposition of curfews and closure of areas of the occupied territories also persisted. In addition, repeated sealing and closing of the West Bank, Gaza and Jerusalem restricted freedom of movement. The Israeli practice of closing Jerusalem to Palestinians had disrupted their daily lives, since Jerusalem remained their religious, economic and cultural centre. The international community should particularly condemn that practice because it represented an Israeli attempt to confer legitimacy on the illegal annexation of Jerusalem.

15. The issue of the Palestinian detainees in Israeli prisons had not been completely resolved and remained of high concern as thousands detained in Israeli prisons were exposed to unsanitary conditions, ill treatment and harsh methods of interrogation which were tantamount to torture. All detainees should be released immediately, and such measures should cease to be applied. Another issue of grave concern was the killing of Palestinians by Israeli soldiers or secret undercover units. The illegal and violent acts of those execution squads must be stopped.

16. The Israeli authorities continued to confiscate land. To date, Israel had appropriated 33 per cent of the area of East Jerusalem, upon which 35,000 housing units had been built. In May 1995, the Security Council had convened to

consider the Israeli order to confiscate 53 hectares of land located in East Jerusalem, in flagrant violation of Security Council resolutions and of a number of international instruments. Although the Security Council had taken no action with regard to the issue, the Israeli Government soon thereafter had suspended the order, which was a positive step. Her delegation stressed the need for the complete cessation of all confiscation.

17. It was regrettable that the Israeli Government had pursued its illegal settlement construction in the occupied territory, in particular in and around Jerusalem, as part of the Government's plan for a "Greater Jerusalem". As stated in the Special Committee's report, settler behaviour had become more violent and aggressive during the period under review. The policy of land confiscation and the campaign of settler colonialism were considered by her delegation to be among the most serious of the Israeli practices affecting the human rights of the Palestinian people, in view of their consequences. Therefore, they could not continue in the new era, since they were clearly not compatible with the peace process and represented a grave threat to its success.

18. While the Declaration of Principles of Interim Self-Government Arrangements had postponed negotiation on various important issues, including that of the settlements, the position of Palestine or of the international community in that regard had not changed, nor should illegal settlements continue. It was imperative that the Israeli Government should accept the de jure applicability of the Convention relative to the Protection of Civilian Persons in Time of War of 12 August 1949 to the entire occupied Palestinian territory, including Jerusalem, and should declare its readiness to abide by the provisions of that Convention.

19. Her delegation expressed its regret regarding the refusal of the Israeli authorities to cooperate with the Special Committee, believing that the current situation warranted the continued work of the Committee, and she hoped that the report for the following year would reflect further progress and positive change on the ground.

20. Mr. PÉREZ GRIFFO (Spain), speaking on behalf of the European Union, Slovakia, Hungary, the Czech Republic and Romania regarding the assassination of Mr. Yitzhak Rabin, Prime Minister of Israel, said that such terrorist attacks could not be permitted to stand in the way of the peace process in the region. The signature on 28 September 1995 of the Interim Agreement on the West Bank and the Gaza Strip, between Israel and the Palestine Liberation Organization, represented a milestone in the peace process between Israel and the Palestinian people. The long process that had begun with the Madrid Conference in 1991 must continue. The European Union welcomed the withdrawal of Israeli security forces from Jenin and hoped that the same course would be followed in Tulkarm, Nablus, Qalquiliya, Bethlehem, Ramallah and Hebron. It also commended the recent release of political prisoners by both parties, and urged the Israeli Government to proceed along that course. The European Union hoped that the various bodies and committees devoted to the Palestinian question would contribute in an active and positive manner to developing the peace process. The implementation of the Interim Agreement on the West Bank and the Gaza Strip would obviate the need for the Special Committee.

21. The European Union was determined to fulfil its commitments regarding economic and social support for the West Bank and the Gaza Strip. The European Union confirmed its commitment to the Middle East process and, in particular to a just, global and lasting solution to the Palestinian question, and to the Arab-Israeli conflict as a whole, based on appropriate resolutions by the Security Council, within the context of the precepts of international law. In the peace process, both parties could rely on the active, constructive and impartial support of the European Union in making it possible for all inhabitants of the region, and of the occupied territories in particular, to enjoy the full and unconditional exercise of their rights.

22. Mr. HOLOHAN (Ireland) took the Chair.

23. Mr. NAKAMURA (Japan) expressed his condolences regarding the assassination of Mr. Yitzhak Rabin and said that he hoped that the Israeli people would maintain their commitment to the peace process. Japan welcomed the agreement between Israel and the Palestine Liberation Organization, in particular the Interim Agreement on the West Bank and the Gaza Strip, and commended the parties involved for their efforts. Japan hoped that the interim self-government of the Palestinian Authority would prove effective, and that progress would be made in the negotiations between Israel and Syria, and between Israel and Lebanon, so that comprehensive peace could be achieved in the region.

24. With the expansion of Palestinian interim self-government, the next urgent task was to improve infrastructure, public health, and educational and housing facilities, particularly in the Gaza Strip and the West Bank. Japan would continue to extend assistance to the peace process in recognition of the fact that economic independence and the creation of employment opportunities for the Palestinian people were vital to ensuring social stability.

25. Japan welcomed the fact that the agreement reached between Israel and the Palestine Liberation Organization contained provisions on gradual release of political prisoners. Japan hoped that the Israelis and the Palestinians would overcome the psychological obstacles that had resulted from the occupation of the territories, and would establish cooperative relations based on mutual trust. Japan supported the resolutions on the situation in the occupied territories adopted over the course of many years and commended the progress achieved by the Palestinians, Israelis and Jordanians, in the belief that they would be conducive to the achievement of comprehensive and lasting peace throughout the Middle East.

26. Mr. AL-ATTAR (Syrian Arab Republic) said that the report before the Committee (A/50/463) demonstrated that peace had not yet been achieved despite the signature of bilateral agreements, that the occupation of Arab lands continued and that oppressive Israeli practices were escalating daily. The Israeli occupation of the Syrian Golan Heights had been accompanied by the introduction of legislation and measures to eliminate the identity of lands and of the people through Judaization. There had been no let-up in the series of annexations, colonization, expropriation of land, detentions and assassinations.

27. In recent years, Israel had violated all international standards by endeavouring to colonize and Judaize the Golan Heights. It had destroyed Arab

centres and monuments, places of worship and schools; it had expropriated lands and taken control of water resources, thereby undermining agriculture and livestock-rearing activities in the Golan Heights. Under their policy of Judaizing a great part of the occupied Syrian Golan Heights and annexing it to Israel, the Israeli occupation authorities had drawn up laws under which any land not occupied by a person would be considered the property of the occupying authorities. It had also expropriated large tracts of land under the so-called "absenteeism legislation", thereby taking possession of 85 per cent of the surface area of the Golan Heights, in contravention of international law and United Nations resolutions. The number of settlers armed by the Israeli army exceeded 30,000.

28. Resistance to foreign occupation was a legitimate right enshrined in the United Nations Charter and recognized in international instruments. The intifadah in the Golan Heights would end only with Israel's total withdrawal. His delegation shared the concern expressed by the Special Committee regarding the continued violation by Israel of the human rights of the inhabitants of the occupied Arab territories. It supported the appeal that urgent measures should be taken to guarantee protection of human rights and fundamental liberties of those inhabitants. Occupation, per se, constituted a violation of human rights.

29. He wondered about the outcome of the peace process and about its future, including the future of the principle of land for peace. Despite the obstacles raised by Israel, the Syrian Arab Republic, which had actively promoted peace since the Madrid Conference, was open to the establishment of a fair and comprehensive peace which guaranteed Israel's total withdrawal from the Golan Heights and the other occupied territories, in accordance with Security Council resolutions 242 (1967), 338 (1973) and 425 (1978), in conformity with the principle of land for peace. However, far from creating an atmosphere conducive to establishing peace in the region, Israel continued to violate the freedom of the Arab inhabitants and to attempt to seize their land. The situation should be monitored by the international community and by the Special Committee. The Syrian Arab Republic considered the task entrusted to the Special Committee to be a proper one, and was prepared to continue to cooperate with it in order to publicize human rights violations in the occupied Arab territories until the region had come to enjoy a just and comprehensive peace.

30. Mr. AL-GHAMDI (Saudi Arabia) stressed the importance of the reports of the Special Committee, which denounced the ongoing campaigns of repression and arrests perpetrated by the occupying authorities against the citizens of the occupied territories, the expropriation of land for the purpose of establishing and expanding settlements, and the repeated closures of the Gaza Strip and the Jericho Area. All of those activities had a negative impact on the socio-economic situation of the Palestinian people and the Arab inhabitants of the occupied territories, on confidence-building and, consequently, on the peace process. That process should in principle be directed towards the restoration of the legitimate rights and sovereignty of the Palestinians, the withdrawal of Israel from all of the occupied territories and the creation of an independent State.

31. The Kingdom of Saudi Arabia had always welcomed the positive developments which had taken place in the region, participated in the multilateral

discussions and fulfilled its financial commitments with regard to the establishment of the Palestinian Authority. It was aware that those efforts required good will and great sacrifices. He expressed his Government's consternation at the acts perpetrated by Israel in Islamic places of worship in Jerusalem and Hebron and its constant attempts to legitimize activities which constituted violations of international resolutions. Moreover, such acts, particularly those involving the city of Jerusalem, complicated the situation and might impede the peace process, given the importance of that city for Muslims. He also noted the serious situation which existed in the occupied Syrian Arab Golan and in southern Lebanon as a result of the occupation and the pressures exerted by Israel for the purpose of creating new conditions which might slow the peace process in that region.

32. The recent events associated with the peace process and resulting from the signing in Washington of the Interim Agreement on the West Bank and the Gaza Strip, had made it possible to entertain the hope that peace and security might some day reign in the Middle East and that all parties might work towards the well-being and prosperity of all the peoples of the region. To that end, peace-loving States must urge Israel to put an end to its current practices and to work to regain the confidence of neighbouring countries and promote the peace process. It was to be hoped that tangible progress would be achieved, including the total withdrawal of Israel from the Syrian Arab Golan, southern Lebanon and the other occupied territories in accordance with the relevant resolutions and the application of the principle of land for peace.

33. The Kingdom of Saudi Arabia felt that the solution to the refugee problem, namely the return of the refugees to their land, would serve as the basis for achieving a just and lasting peace in the Middle East. Similarly, Israel's compliance with the relevant resolutions and with international treaties and conventions, especially those relating to the non-proliferation of nuclear arms, would lead to conditions conducive to peace and stability so that the peoples of the Middle East could devote themselves to the socio-economic development of the region and restore it to what it had once been, a cultural centre and an oasis of creativity and progress.

34. Mr. ELARABY (Egypt) said that the issues of Palestine and the Middle East, which had from the outset captured the attention of the international community, had now become a priority owing to the progress achieved in the negotiations and particularly as a result of the signing of the Declaration of Principles on Provisions on Interim Self-Government Arrangements (A/48/486-S/26560, annex) and of the administrative agreements concluded between the Palestine Liberation Organization (PLO) and Israel on the Gaza Strip and the West Bank. The Interim Agreement, signed in Washington on 28 September 1995, provided for the withdrawal of Israeli forces from the Arab towns. That would lead to the holding of elections and pave the way for negotiations on the definitive status of those territories which, it was to be hoped, would put an end to the Israeli occupation and lay the foundations for the political stability of the Palestinian people in its national territory. He also noted that there had been progress in relations with Jordan, the Syrian Arab Republic and Lebanon.

35. Those events constituted a radical change in the nature of the Arab-Israeli conflict. All of the parties concerned had agreed to act in accordance with the

provisions of Security Council resolutions 242 (1967) and 338 (1973), which provided for the withdrawal of Israeli forces from all of the territories which had been occupied since 1967 and for the establishment of good relations between the parties. It had been recognized that the Palestinian people must be able to exercise its legitimate rights after its liberation. However, despite those encouraging developments, it was important to bear in mind the potential threats to the peace process as demonstrated by the tragic assassination of the Prime Minister of Israel. The enemies of peace would resort to violence to the utmost extent in order to attain their ends. The entire international community must express its opposition to the atrocities which were being committed. It was to be hoped that the Government of Israel would fulfil the commitments which it had made in signing the agreements with Palestine. An acceleration of the peace process was the best possible response to those who wished to delay it.

36. The withdrawal of Israeli forces from the Gaza Strip and Jericho had been perhaps the most significant advance in the peace process. Since the military occupation was in itself a violation of human rights, the fact that the Palestinian Authority already governed some territories took on even greater significance. However, Israel continued to act against the provisions of the fourth Geneva Convention relative to the Protection of Civilian Persons in Time of War and other international conventions. The Israeli settlements were causing tension and instability in the occupied territories. Although Israel was not providing financial support for the expansion of the settlements, that did not prevent the private sector from doing so. Another serious factor was the impunity with which certain settlers were acting. The massacre at the Ibrahimi Mosque in Hebron was a tragic example of how the actions of extremists who sought to undermine the peace process and foment hatred were tolerated.

37. The current period of transition called for new confidence-building measures aimed at securing acceptance of the principles of peaceful coexistence. For that reason, his delegation urged Israel to cease the practices mentioned in the report of the Special Committee, in particular the closing of the territories for long periods which so greatly aggravated the serious economic situation of the Palestinians. It also called on donor States to fulfil their obligations and to help the Palestinian Authority improve the standard of living of the inhabitants of the Gaza Strip and the West Bank.

38. Mr. BATAINEH (Jordan) said that his delegation, in joining the discussion on the item under consideration, was seeking to contribute to the peace process, which was directed towards safeguarding the well-being of the Palestinian people and protecting its human rights as well as promoting mutual confidence among peoples and laying the basis for a just and comprehensive peace.

39. The important measures adopted in accordance with Security Council resolutions 242 (1967) and 338 (1973) and the results of the negotiations on putting an end to the occupation and recognizing the legitimate rights of the Palestinian people had brought about positive change and had generally lowered the level of violence. The twenty-seventh report of the Special Committee showed, however, that the situation in the occupied territories remained critical and that the occupying Power was still violating its commitments under the fourth Geneva Convention and other relevant agreements. His delegation agreed with the views expressed in the report regarding the exacerbation of the

situation, which was clear from the continuing closures of the occupied territories as a result of incidents provoked by extremists on both sides opposed to the peace process. Such closures and the concomitant restrictions on freedom of movement for Palestinians aggravated the economic situation in the territories. The population was being punished collectively for actions of a few people.

40. The presence of Israeli settlements on the West Bank, including Jerusalem, and in the other occupied territories continued to create tension. The Government of Israel supported the expansion of the settlements through the private sector, which meant that land was expropriated in order to create corridors of communication between them. The expropriation orders that were used had generally run out more than 10 years previously. If the plans to expropriate land and expand the settlements in Jerusalem were carried out, those settlements would extend as far as Jericho, which would lead to the Palestinian people in the outskirts of Jerusalem becoming isolated. At the same time, the settlers were adopting an increasingly hostile attitude, which was made worse by the connivance of the authorities. The Government of Israel therefore had a special responsibility to bring its policy into line with the norms of international law, United Nations resolutions and the spirit of the peace process.

41. Despite the progress that had been made, there were constant developments running counter to the wish of the international community to achieve a just and comprehensive solution and promote confidence. Israel remained hostile to the activities of Palestinian institutions, particularly in Jerusalem, and had even closed some of them down. There was no doubt that the sooner power was transferred to the Palestinian Authority the more positive the effect would be from the social, economic and human rights point of view. The peace process should lead to complete compliance with internationally accepted human rights standards.

42. The question of Israeli practices that affected the human rights of the Palestinian people in the occupied territories was inseparable from the question of Palestine. The fundamental and definitive way of dealing with the question of Israeli practices was therefore to find a just and comprehensive solution to all aspects of the question of Palestine, thus bringing the occupation to an end and enabling the Palestinian people to decide its own future in its own land. It was essential for all the parties to the conflict to pursue the peace process and recognize the need to find a just and comprehensive solution through peaceful means so that the region could embark on a new era of peace, security, stability and progress.

43. Mr. DOUDECH (Tunisia) regretted the situation that obtained in the occupied territories as a result of the measures that Israel continued to apply against the inhabitants of those territories, despite the agreements that had been reached. Moreover, the situation had been exacerbated by the acts of harassment that the settlers were perpetrating with impunity against the Palestinians.

44. If the peace process was to be brought to a successful conclusion, Israel would have to comply with the provisions of the fourth Geneva Convention and other international human rights instruments. Only thus would it earn the

confidence of the Arabs in the occupied territories and persuade them to support the peace process. Full implementation of the agreement on extending the autonomy of the territories, signed with the Israeli Government by the Palestinian Authority was, however, essential to enable the Palestinian people to hold elections at the stipulated time.

45. His delegation was of the view that as long as the territories remained occupied and the settlements problem was not resolved it was essential to renew the Special Committee's mandate. He cherished the hope, however, that the parties would continue their efforts to ensure that the Middle East would enjoy peace, progress and security.

46. Mr. SHAKED (Israel) said that although a mere two years had passed since the signing of the Declaration of Principles by Israel and the Palestine Liberation Organization (PLO), the political atmosphere of the Middle East had undergone a dramatic change. Major steps towards reconciliation had been undertaken by Israel, the Palestinians and several other States of the region. The Middle East/North Africa Economic Summit held in Casablanca in 1994 and that held in Amman in 1995 had opened new avenues for regional economic cooperation, given new impetus to private investment in the Middle East and paved the way for the establishment of regional economic institutions. That process would be continued with the holding of the economic conference in Cairo in 1996. If the economic development of the whole Middle East could be fostered, the chances for the success of the peace process in the region would be greatly enhanced. In addition to the economic dimension, it was imperative to remember that Israel had already begun to create a new political reality in the West Bank and the Israeli Government hoped that by the end of 1995 no Palestinian would remain under its control in that territory.

47. The Special Political and Decolonization Committee (Fourth Committee) should note that certain resolutions adopted when the Arab-Israeli conflict was at its height did not reflect the new reality in the Middle East. Israel also considered that the Special Committee wasted the limited financial resources of the United Nations without bringing any benefit at all to the Palestinian people.

48. There were several ways in which the United Nations could contribute to the Middle East peace process. First, by completing the process, started in previous sessions of the General Assembly, of bringing its resolutions into line with the new reality in the Middle East; secondly, by not renewing the mandate of the Special Committee, but looking instead into the possibility of directing its budget to specific urgent needs of the Palestinian Authority; thirdly, by coordinating and strengthening its assistance to the Palestinian people; and, fourthly, by creating a more supportive atmosphere through recognition that there was no place for one-sided criticisms and polemics at a time of fruitful dialogue and significant steps towards peace in the region.

The meeting rose at 5.20 p.m.

UNITED NATIONS

General Assembly

FIFTIETH SESSION

Official Records

SPECIAL POLITICAL AND
DECOLONIZATION COMMITTEE
(FOURTH COMMITTEE)
25th meeting
held on
Thursday, 30 November 1995
at 3 p.m.
New York

SUMMARY RECORD OF THE 25th MEETING

Chairman: Mr. MUTHAURA (Kenya)

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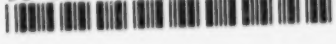

The meeting was called to order at 3.25 p.m.

AGENDA ITEM 85: REPORT OF THE SPECIAL COMMITTEE TO INVESTIGATE ISRAELI PRACTICES AFFECTING THE HUMAN RIGHTS OF THE PALESTINIAN PEOPLE AND OTHER ARABS OF THE OCCUPIED TERRITORIES (continued)

1. Mr. SAMADI (Islamic Republic of Iran) said that the reports of the Special Committee (A/50/170, A/50/282, A/50/463) clearly showed that the human rights situation of the Palestinians in the occupied territories remained a matter of grave concern. The occupation itself constituted the primary violation of the human rights of the civilian population and was the source of other violations and harsh practices by the occupying Israeli authorities, including closure and sealing of the occupied territories, land confiscation, the demolition of Palestinian homes, the detention of Palestinians, and the killing of Palestinians by military and undercover security forces. There had also been persistent violations of certain fundamental freedoms of the Palestinian peoples, such as freedom of movement, education, expression and religion, and, according to witnesses who had appeared before the Committee, the situation had actually deteriorated in many respects.

2. The repeated sealing off or closing of the occupied territories had resulted in considerable hardships for the population and had had devastating effects on the economic and social situation in those territories, in particular in the Gaza Strip. Restrictions on freedom of movement had also significantly affected the freedom of worship of both Muslims and Christians. Restrictions imposed by the occupying authorities had had very serious consequences for the health as well the education of the Palestinians.

3. The expansion of settlements and land confiscation in the occupied territories had continued, and there were an estimated 140,000 Jewish settlers living in the West Bank, the Gaza Strip and the Golan Heights. Many witnesses had testified that the expansion of existing settlements had been accelerated since the Oslo and Cairo agreements. That policy had led to a continuous alteration in the configuration of the occupied territories, and the situation regarding the expropriation of Arab-owned land and the expansion of settlements was particularly serious in Jerusalem. The Israeli authorities had carried out a deliberate policy aimed at reducing the number of Arabs in Jerusalem and creating a new demographic, geographic and political situation in the city.

4. An additional problem linked to the existence of settlements was the violent acts committed by settlers, who were consistently protected by the army, were often armed and who had become more violent and aggressive during the preceding year.

5. Killings, detentions and the mistreatment of detainees were among the other dimensions of the horrifying situation in the occupied territories; Israeli undercover units had martyred several Palestinian activists within and outside the occupied territories over the preceding year, and aggravated forms of torture were sometimes used in interrogations and had resulted in the deaths of some detainees.

6. His delegation stressed that the comprehensive and just solution to the issue of Palestine lay in the restoration of all the rights of the Palestinian people, including the return of all Palestinian refugees and displaced persons, the full and free exercise of their right to self-determination, and the liberation of all occupied territories.

7. Mr. KEENE (United States of America) said that draft resolutions A/C.4/50/L.18 to L.20 contained outdated language and made no constructive contribution to the ongoing peace process. The resources which went to the Special Committee should be used instead to support Palestinian self-government and economic development in the West Bank and Gaza. That would support the peace process, positively affect the well-being of the Palestinian people, and show that the Member States were serious about United Nations reform.

8. The resolutions simply did not reflect the developments that had occurred in the region and the progress that was expected in the coming months. The Government of Israel had just transferred to the Palestinian authority powers and responsibilities in the West Bank city of Jenin in accordance with the Interim Agreement on the West Bank and the Gaza Strip signed by the Government of Israel and the Palestine Liberation Organization at Washington on 28 September 1995. Most of the Palestinian population of the West Bank and Gaza would be under Palestinian authority by the following year, with elections for a Palestinian Council to be held 20 January 1996.

9. At a time when his Government and others were calling for organizational and budgetary reform in the United Nations, shifting the resources of the Special Committee to avenues which would bring direct benefits to the Palestinian people would provide an excellent example. $300,000 could accomplish much in Gaza or the West Bank, and the Special Committee no longer served any useful function. His delegation called upon Member States to delete the standard request for the Committee to continue its work and to report the following year. The Special Committee's existence was inconsistent with the facts Israel and the Palestinians were creating on the ground, and its resources should be directed towards bolstering that progress.

10. His Government would continue to oppose references such as "occupied Palestinian territory, including Jerusalem". While the fourth Geneva Convention of 12 August 1949 did indeed apply to territories occupied by Israel since 1967, specific references to Jerusalem in the resolutions had no effect on issues of sovereignty or the final political arrangements in the territories, which could only be decided by the parties through direct negotiation.

Draft resolutions A/C.4/50/L.18, A/C.4/50/L.19, A/C.4/50/L.20, A/C.4/50/L.21*

11. Mrs. CUETO (Cuba), introducing draft resolutions A/C.4/50/L.18, A/C.4/50/L.19, A/C.4/50/L.20 and A/C.4/50/L.21* (draft resolutions A, B, C and D) on behalf of the sponsors, said that the texts took into account recent developments in the complex Middle East peace process, but reiterated some of the basic issues which justified the unequivocal condemnation of Israeli violations of the human rights of the Palestinian people and other Arabs in the occupied territories.

12. Draft resolution A referred to the mandate and activities of the Special Committee, and took note of the signing of the Declaration of Principles on Interim Self-Government Arrangements, subsequent implementation agreements, and the Interim Agreement on the West Bank and the Gaza Strip signed on 28 September 1995. A new preambular paragraph expressed the hope that the progress in the peace process would put an end to the Israeli occupation and to the violation of the human rights of the Palestinian people. The operative paragraphs deplored Israeli human rights violations, requested Israel to cooperate with the Special Committee and requested the Secretary-General to renew the mandate of the Committee and provide it with all necessary facilities and personnel.

13. Draft resolution B referred to the applicability of the fourth Geneva Convention to the occupied Palestinian territories, including Jerusalem, and other Arab territories occupied by Israel since 1967. The operative paragraphs also demanded that Israel accept the applicability de jure of the fourth Geneva Convention in all territories occupied since 1967 and called on all States parties to ensure that Israel respected the fourth Geneva Convention.

14. Draft resolution C considered major Israeli violations of the human rights of the Palestinian people, including deportations, imprisonment and illegal acts to alter the demographic make-up of the occupied territories. The preamble contained a new reference to the Interim Agreement of 28 September 1995. The operative paragraphs declared that all Israeli acts in the occupied territories which violated the fourth Geneva Convention were null and void and called on Israel to cease and desist. They also reaffirmed the illegality of Israeli settlements in the occupied territories, which were an obstacle to achieving a comprehensive peace. The resolution called on Israel to facilitate the return of all Palestinians deported since 1967 and to accelerate the release of all Palestinian prisoners.

15. Draft resolution D referred to the occupied Syrian Golan. The operative part of the resolution called on Israel to respect the relevant resolutions of the Security Council, declared invalid all Israeli acts in the occupied Syrian Golan, called on Israel to desist from attempting to alter the physical, demographic, institutional and legal character of the occupied Syrian Golan, and referred to the issue of settlements in that territory.

16. The co-sponsors hoped that the resolutions would be approved by the overwhelming majority of the Members of the United Nations both in the Committee and in plenary meeting.

17. Finally, her delegation believed that the United Nations and its subsidiary bodies involved in the Palestinian issue and in the Middle East peace process in general must continue to work to remove all obstacles to a just and lasting peace. The Special Committee and the United Nations had a major role to play in the peace process in which the international community had placed such hope. They had a political and moral obligation to continue that work and, despite the financial concerns raised by some delegations concerning the future of the Committee, her delegation supported the work of the Committee more than ever, as it provided hope for the peoples of the occupied Arab territories and promoted the peace process in the region.

18. Mr. RAHIM (Bangladesh) stated that his delegation wished to join in sponsoring draft resolutions A/C.4/50/L.18 to L.21*.

Draft resolution A/C.4/50/L.18

19. A recorded vote was taken.

In favour: Algeria, Bahrain, Bangladesh, Benin, Bhutan, Botswana, Brazil, Brunei Darussalam, Burkina Faso, Cameroon, Chile, China, Colombia, Côte d'Ivoire, Cuba, Democratic People's Republic of Korea, Djibouti, Egypt, Ghana, Guinea, Guyana, Haiti, India, Indonesia, Iran (Islamic Republic of), Jordan, Kuwait, Lao People's Democratic Republic, Lebanon, Libyan Arab Jamahiriya, Malaysia, Maldives, Mali, Mauritania, Mexico, Morocco, Mozambique, Myanmar, Nepal, Niger, Nigeria, Oman, Pakistan, Philippines, Qatar, Singapore, South Africa, Sri Lanka, Sudan, Syrian Arab Republic, Thailand, Togo, Trinidad and Tobago, Tunisia, Turkey, Uganda, United Arab Emirates, United Republic of Tanzania, Venezuela, Viet Nam, Yemen, Zambia, Zimbabwe.

Against: Israel, United States of America.

Abstaining: Antigua and Barbuda, Argentina, Armenia, Australia, Austria, Bahamas, Barbados, Belarus, Belgium, Bolivia, Bosnia and Herzegovina, Bulgaria, Canada, Croatia, Cyprus, Czech Republic, Denmark, Ecuador, Estonia, Finland, France, Georgia, Germany, Greece, Honduras, Hungary, Iceland, Ireland, Italy, Jamaica, Japan, Kazakstan, Kenya, Latvia, Liechtenstein, Lithuania, Luxembourg, Malta, Marshall Islands, Micronesia (Federated States of), Mongolia, Netherlands, New Zealand, Nicaragua, Norway, Panama, Paraguay, Peru, Poland, Portugal, Republic of Korea, Republic of Moldova, Romania, Russian Federation, Samoa, Slovakia, Solomon Islands, Spain, Suriname, Swaziland, Sweden, The former Yugoslav Republic of Macedonia, Ukraine, United Kingdom of Great Britain and Northern Ireland, Uruguay.

20. Draft resolution A/C.4/50/L.18 was adopted by 63 votes to 2, with 65 abstentions.*

Draft resolution A/C.4/50/L.19

21. A recorded vote was taken.

In favour: Algeria, Antigua and Barbuda, Argentina, Armenia, Australia, Austria, Azerbaijan, Bahamas, Bahrain, Bangladesh, Barbados, Belarus, Belgium, Benin, Bhutan, Bolivia, Bosnia and

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* The delegations of Afghanistan and Senegal subsequently informed the Committee that, had they been present during the voting, they would have voted in favour of the draft resolution.

Herzegovina, Botswana, Brazil, Brunei Darussalam, Bulgaria, Burkina Faso, Canada, Chile, China, Colombia, Côte d'Ivoire, Croatia, Cuba, Cyprus, Czech Republic, Democratic People's Republic of Korea, Denmark, Djibouti, Ecuador, Egypt, Estonia, Ethiopia, Finland, France, Georgia, Germany, Ghana, Greece, Guinea, Guyana, Haiti, Honduras, Hungary, Iceland, India, Indonesia, Iran (Islamic Republic of), Ireland, Italy, Jamaica, Japan, Jordan, Kazakstan, Kenya, Kuwait, Lao People's Democratic Republic, Latvia, Lebanon, Libyan Arab Jamahiriya, Liechtenstein, Lithuania, Luxembourg, Malaysia, Maldives, Mali, Malta, Mauritania, Mauritius, Mexico, Mongolia, Morocco, Mozambique, Myanmar, Nepal, Netherlands, New Zealand, Niger, Nigeria, Norway, Oman, Pakistan, Panama, Paraguay, Peru, Philippines, Poland, Portugal, Qatar, Republic of Korea, Republic of Moldova, Romania, Samoa, Singapore, Slovakia, Slovenia, Solomon Islands, South Africa, Spain, Sri Lanka, Sudan, Suriname, Swaziland, Sweden, Syrian Arab Republic, Thailand, The former Yugoslav Republic of Macedonia, Togo, Trinidad and Tobago, Tunisia, Turkey, Uganda, Ukraine, United Arab Emirates, United Kingdom of Great Britain and Northern Ireland, United Republic of Tanzania, Uruguay, Venezuela, Viet Nam, Yemen, Zambia, Zimbabwe.

Against: Israel, United States of America.

Abstaining: Marshall Islands, Micronesia (Federated States of), Nicaragua, Russian Federation.

22. Draft resolution A/C.4/50/L.19 was adopted by 127 votes to 2, with 4 abstentions.*

Draft resolution A/C.4/50/L.20

23. A recorded vote was taken.

In favour: Algeria, Antigua and Barbuda, Armenia, Australia, Austria, Azerbaijan, Bahamas, Bahrain, Bangladesh, Belarus, Belgium, Benin, Bhutan, Bolivia, Bosnia and Herzegovina, Botswana, Brazil, Brunei Darussalam, Bulgaria, Burkina Faso, Cameroon, Canada, Chile, China, Colombia, Côte d'Ivoire, Croatia, Cuba, Cyprus, Czech Republic, Democratic People's Republic of Korea, Denmark, Djibouti, Egypt, Estonia, Ethiopia, Finland, France, Georgia, Germany, Ghana, Greece, Guinea, Guyana, Haiti, Honduras, Hungary, Iceland, India, Indonesia, Iran (Islamic Republic of), Ireland, Italy, Jamaica, Japan, Jordan, Kenya, Kuwait, Lao People's Democratic Republic, Latvia, Lebanon, Libyan Arab Jamahiriya, Liechtenstein, Lithuania, Luxembourg,

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* The delegations of Afghanistan, Andorra and Senegal subsequently informed the Committee that had they been present during the voting, they would have voted in favour of the draft resolution.

Malaysia, Maldives, Mali, Malta, Mauritania, Mauritius, Mexico, Mongolia, Morocco, Mozambique, Myanmar, Nepal, Netherlands, New Zealand, Niger, Nigeria, Norway, Oman, Pakistan, Paraguay, Peru, Philippines, Poland, Portugal, Qatar, Republic of Korea, Republic of Moldova, Romania, Samoa, Singapore, Slovakia, Slovenia, Solomon Islands, South Africa, Spain, Sri Lanka, Sudan, Suriname, Swaziland, Sweden, Syrian Arab Republic, Thailand, The former Yugoslav Republic of Macedonia, Togo, Trinidad and Tobago, Tunisia, Turkey, Uganda, Ukraine, United Arab Emirates, United Kingdom of Great Britain and Northern Ireland, United Republic of Tanzania, Venezuela, Viet Nam, Yemen, Zambia, Zimbabwe.

Against: Israel, United States of America.

Abstaining: Argentina, Barbados, Marshall Islands, Micronesia (Federated States of), Nicaragua, Panama, Russian Federation, Uruguay.

24. Draft resolution A/C.4/50/L.20 was adopted by 122 votes to 2, with 8 abstentions.*

Draft resolution A/C.4/50/L.21*

25. A recorded vote was taken.

In favour: Algeria, Armenia, Australia, Austria, Azerbaijan, Bahrain, Bangladesh, Belarus, Belgium, Benin, Bhutan, Bolivia, Bosnia and Herzegovina, Botswana, Brazil, Brunei Darussalam, Bulgaria, Burkina Faso, Cameroon, Canada, Chile, China, Colombia, Côte d'Ivoire, Croatia, Cuba, Cyprus, Czech Republic, Democratic People's Republic of Korea, Denmark, Djibouti, Egypt, Estonia, Ethiopia, Finland, France, Georgia, Germany, Ghana, Greece, Guinea, Guyana, Haiti, Honduras, Hungary, Iceland, India, Indonesia, Iran (Islamic Republic of), Ireland, Italy, Jamaica, Japan, Jordan, Kazakstan, Kuwait, Lao People's Democratic Republic, Latvia, Lebanon, Libyan Arab Jamahiriya, Liechtenstein, Lithuania, Luxembourg, Malaysia, Maldives, Mali, Malta, Mauritania, Mauritius, Mexico, Mongolia, Morocco, Mozambique, Myanmar, Nepal, Netherlands, New Zealand, Niger, Nigeria, Norway, Oman, Pakistan, Panama, Paraguay, Peru, Philippines, Poland, Portugal, Qatar, Republic of Korea, Republic of Moldova, Romania, Samoa, Singapore, Slovakia, Slovenia, Solomon Islands, South Africa, Spain, Sri Lanka, Sudan, Suriname, Swaziland, Sweden, Syrian Arab Republic, Thailand, The former Yugoslav Republic of Macedonia, Togo, Trinidad and Tobago, Tunisia, Turkey, Uganda, Ukraine, United Arab Emirates, United

* The delegations of Afghanistan, Andorra and Senegal subsequently informed the Committee that, had they been present during the voting, they would have voted in favour of the draft resolution.

Kingdom of Great Britain and Northern Ireland, United Republic of Tanzania, Venezuela, Viet Nam, Yemen, Zambia, Zimbabwe.

Against: Israel.

Abstaining: Antigua and Barbuda, Argentina, Bahamas, Barbados, Kenya, Marshall Islands, Micronesia (Federated States of), Nicaragua, Russian Federation, United States of America, Uruguay.

26. Draft resolution A/C.4/50/L.21* was adopted by 121 votes to 1, with 11 abstentions.*

Explanations of vote

27. Mr. GATILOV (Russian Federation) denounced the unacceptable violations of human rights in the occupied territories and vigorously condemned the terrorist methods of certain extremist groups. Recent Israeli Government actions had led to positive changes in the situation in the occupied territories, but it continued to require the attention and the assistance of the international community. The Russian Federation, as a co-sponsor of the peace process, felt that the General Assembly had established a constructive atmosphere which would facilitate the rapid implementation of the Arab-Israeli agreements and contribute to further progress in the Middle East peace process. The draft resolutions were unchanged since the preceding year and continued to be one-sided in their assessment of the situation in the occupied territories. They contributed nothing of substance to the direct Arab-Israeli negotiations, and discussions at the Committee session could in fact complicate those negotiations. His Federation had therefore abstained in the vote on the draft resolutions under agenda item 85.

28. Mrs. MENENDEZ (Spain), speaking on behalf of the European Union, stated that its member States had voted in favour of three of the draft resolutions, but had been forced to abstain once again on draft resolution A regarding the report and the mandate of the Special Committee. The tasks and mandate of that Committee no longer reflected the realities on the ground, and the withdrawal of Israeli security forces from much of the occupied territories the following year would render its further existence unnecessary.

29. The European Union reaffirmed its commitment to the Middle East peace process, and in particular to a just, comprehensive and lasting settlement to the Palestinian question and the Arab-Israeli conflict in its entirety. The parties to the peace process could continue to rely on the active, constructive and balanced support of the European Union.

30. At the outset of the fiftieth General Assembly, the European Union had submitted a number of amendments aimed at reconsidering the mandate of the Committee in view of the progress made in the field. Although the last

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* The delegations of Afghanistan, Andorra and Senegal subsequently informed the Committee that, had they been present during the voting, they would have voted in favour of the draft resolution.

preambular paragraph of draft resolution A partially incorporated that idea, that was not sufficient. She expressed the hope that the following year that idea would be fully recognized if the Israeli security forces did in fact withdraw from those areas.

31. Ms. CARAYANIDES (Australia) said that her delegation welcomed the progress made in the peace process and the implementation of the Interim Agreement, which was proceeding smoothly and ahead of schedule. As a result, increasing numbers of Palestinians in the West Bank were assuming control of their own affairs and were free of Israeli occupation. Her delegation strongly endorsed the peace process and hoped that further progress in implementation of the Interim Agreement and the commencement of the final status negotiations in May 1996 would make resolutions such as the ones just approved unnecessary in the future.

32. Mr. Byong Hyun LEE (Republic of Korea) welcomed the extension of Palestinian authority to the West Bank the preceding September. The Interim Agreement was a follow-up to the historic Declaration of Principles on Interim Self-Government Arrangements of September 1993 and would contribute to a just, comprehensive and lasting peace in the region. While commending the Special Committee for its impartial and noteworthy efforts to fulfil the mandate given it by the General Assembly, his delegation had abstained from voting on draft resolution A/C.4/50/L.18 because the text could have reflected more accurately the recent developments in the peace process.

33. Mr. PEREZ-OTERMIN (Uruguay) said that his delegation had abstained from voting on draft resolutions A/C.4/50/L.18, L.20 and L.21 because the texts did not reflect the positive results of the peace process in the Middle East, especially the agreements signed in Washington in 1993 and the Implementation Agreement on the Gaza Strip and the Jericho Area of 1994 and the Interim Agreement on the West Bank and the Gaza Strip in 1995.

34. Uruguay had always supported the peace process, believing that dialogue and understanding were the only replacement for constant war, rancour and terrorism. The Committee should not maintain texts which reflected a reality that no longer existed and contained contentious wording inconsistent with detente offered by the peace negotiations and the hope for a peaceful solution which would, in the near future, allow the long-suffering peoples of the Middle East to live together in peace.

35. That very real hope, still so fragile, and dependent on the unanimous support of the international community, should in future be reflected in the Committee's discussions on the situation in the Middle East and the question of Palestine.

36. Mr. SAMADI (Islamic Republic of Iran) said that although his delegation had voted in favour of draft resolutions A/C.4/50/L.18 to L.21, that should not in any way be construed as a recognition of the existence of the State of Israel.

37. Mr. JELBAN (Libyan Arab Jamahiriya) said that his delegation had voted in favour of the draft resolutions despite its reservations concerning anything which tended to recognize the State of Israel or accept the current peace process, which could not lead to a genuine, just, lasting, and global peace.

Rather, a democratic, non-racial Palestinian State should be created within which Jews and Palestinian Arabs could live together in equality.

38. Ms. MAWHINNEY (Canada) said that her delegation had maintained its abstention regarding draft resolution A. It welcomed the progress reflected by the Interim Agreement of 28 September 1995 and regretted that the activities of the Special Committee had not been modified to reflect the new reality. Further progress, however, should provide an opportunity to review the many Middle East resolutions, and there was every hope that continued negotiations would render the Special Committee's further existence unnecessary and would lead to a just and lasting peace.

39. Mr. FORERO (Colombia) said that his delegation had voted in favour of draft resolution A/C.4/50/L.18, but believed that efforts to achieve a just peace would lead to the peaceful coexistence of all the peoples in the region. He hoped that the parties would continue to work to that end and avoid violence, and also that the following year such resolutions would not be necessary.

40. Miss MACKENNA (Chile) said that her delegation had voted in favour of draft resolutions A/C.4/50/L.18 to L.21 although they did not always reflect the political situation in the region, or the peace process.

AGENDA ITEM 84: UNITED NATIONS RELIEF AND WORKS AGENCY FOR PALESTINE REFUGEES IN THE NEAR EAST (continued) (A/C.4/50/L.11-L.17)

41. Mr. POERNOMO (Indonesia), introducing draft resolutions A/C.4/50/L.11 and L.13-17 on behalf of the sponsors, emphasized that the scope and value of the work carried out by the United Nations Relief and Works Agency for Palestine Refugees in the Near East (UNRWA) had increased in the light of the current Middle East peace process. It therefore merited continued backing from the international community, and he hoped that the draft resolutions would be adopted with the largest possible support of Member States.

42. Mrs. MINDERHOUD (Netherlands) introduced draft resolution A/C.4/50/L.12.

43. The CHAIRMAN announced that Senegal had joined the sponsors of draft resolutions A/C.4/50/L.11 and L.14-17.

Draft resolution A/C.4/50/L.11 on assistance to Palestinian refugees

44. A recorded vote was taken on draft resolution A/C.4/50/L.11.

In favour: Afghanistan, Algeria, Andorra, Angola, Argentina, Armenia, Australia, Austria, Azerbaijan, Bahamas, Bahrain, Bangladesh, Barbados, Belarus, Belgium, Belize, Benin, Bhutan, Bolivia, Bosnia and Herzegovina, Botswana, Brazil, Brunei Darussalam, Bulgaria, Burkina Faso, Cameroon, Canada, Cape Verde, Chile, China, Colombia, Côte d'Ivoire, Croatia, Cuba, Cyprus, Czech Republic, Democratic People's Republic of Korea, Denmark, Djibouti, Ecuador, Egypt, El Salvador, Estonia, Ethiopia, Finland, France, Georgia, Germany, Ghana, Greece, Guinea, Guyana, Haiti, Honduras, Hungary, Iceland, India, Indonesia,

Iran (Islamic Republic of), Ireland, Italy, Jamaica, Japan, Jordan, Kazakstan, Kenya, Kuwait, Lao People's Democratic Republic, Latvia, Lebanon, Libyan Arab Jamahiriya, Liechtenstein, Lithuania, Luxembourg, Malaysia, Maldives, Mali, Malta, Marshall Islands, Mauritania, Mauritius, Mexico, Micronesia (Federated States of), Mongolia, Morocco, Mozambique, Myanmar, Nepal, Netherlands, New Zealand, Nicaragua, Niger, Nigeria, Norway, Oman, Pakistan, Panama, Papua New Guinea, Paraguay, Peru, Philippines, Poland, Portugal, Qatar, Republic of Korea, Republic of Moldova, Romania, Russian Federation, Samoa, Saudi Arabia, Senegal, Singapore, Slovakia, Slovenia, Solomon Islands, South Africa, Spain, Sri Lanka, Sudan, Suriname, Swaziland, Sweden, Syrian Arab Republic, Thailand, The former Yugoslav Republic of Macedonia, Togo, Trinidad and Tobago, Tunisia, Turkey, Uganda, Ukraine, United Arab Emirates, United Kingdom of Great Britain and Northern Ireland, United Republic of Tanzania, Uruguay, Venezuela, Viet Nam, Yemen, Zambia, Zimbabwe.

Against: Israel.

Abstaining: United States of America.

45. Draft resolution A/C.4/50/L.11 was adopted by 140 votes to 1, with 1 abstention.

Draft resolution A/C.4/50/L.12 on the Working Group on the Financing of the United Nations Relief and Works Agency for Palestine Refugees in the Near East

46. Draft resolution A/C.4/50/L.12 was adopted without a vote.

Draft resolution A/C.4/50/L.13 on persons displaced as a result of the June 1967 and subsequent hostilities

47. A recorded vote was taken on draft resolution A/C.4/50/L.13.

In favour: Afghanistan, Algeria, Andorra, Angola, Argentina, Armenia, Australia, Austria, Azerbaijan, Bahamas, Bahrain, Bangladesh, Barbados, Belarus, Belgium, Belize, Benin, Bhutan, Bolivia, Bosnia and Herzegovina, Botswana, Brazil, Brunei Darussalam, Bulgaria, Burkina Faso, Cameroon, Canada, Cape Verde, Chile, China, Colombia, Côte d'Ivoire, Croatia, Cuba, Cyprus, Czech Republic, Democratic People's Republic of Korea, Denmark, Djibouti, Ecuador, Egypt, El Salvador, Estonia, Ethiopia, Finland, France, Georgia, Germany, Ghana, Greece, Guinea, Guyana, Haiti, Honduras, Hungary, Iceland, India, Indonesia, Iran (Islamic Republic of), Ireland, Italy, Jamaica, Japan, Jordan, Kazakstan, Kenya, Kuwait, Lao People's Democratic Republic, Latvia, Lebanon, Libyan Arab Jamahiriya, Liechtenstein, Lithuania, Luxembourg, Malaysia, Maldives, Mali, Malta, Marshall Islands, Mauritania, Mauritius, Mexico, Micronesia (Federated States of), Mongolia, Morocco,

Mozambique, Myanmar, Nepal, Netherlands, New Zealand, Nicaragua, Niger, Nigeria, Norway, Oman, Pakistan, Panama, Papua New Guinea, Paraguay, Peru, Philippines, Poland, Portugal, Qatar, Republic of Korea, Republic of Moldova, Romania, Russian Federation, Samoa, Saudi Arabia, Senegal, Singapore, Slovakia, Slovenia, Solomon Islands, South Africa, Spain, Sri Lanka, Sudan, Suriname, Swaziland, Sweden, Syrian Arab Republic, Thailand, The former Yugoslav Republic of Macedonia, Togo, Trinidad and Tobago, Tunisia, Turkey, Uganda, Ukraine, United Arab Emirates, United Kingdom of Great Britain and Northern Ireland, United Republic of Tanzania, Uruguay, Venezuela, Viet Nam, Yemen, Zambia, Zimbabwe.

Against: Israel, United States of America.

Abstaining: None.

48. Draft resolution A/C.4/50/L.13 was adopted by 140 votes to 2.

Draft resolution A/C.4/50/L.14 on offers by Member States of grants and scholarships for higher education, including vocational training, for Palestine refugees

49. A recorded vote was taken on draft resolution A/C.4/50/L.14.

In favour: Afghanistan, Algeria, Andorra, Angola, Antigua and Barbuda, Argentina, Armenia, Australia, Austria, Azerbaijan, Bahamas, Bahrain, Bangladesh, Barbados, Belarus, Belgium, Belize, Benin, Bhutan, Bolivia, Bosnia and Herzegovina, Botswana, Brazil, Brunei Darussalam, Bulgaria, Burkina Faso, Cameroon, Canada, Cape Verde, Chile, China, Colombia, Côte d'Ivoire, Croatia, Cuba, Cyprus, Czech Republic, Democratic People's Republic of Korea, Denmark, Djibouti, Ecuador, Egypt, El Salvador, Estonia, Ethiopia, Finland, France, Georgia, Germany, Ghana, Greece, Guinea, Guyana, Haiti, Honduras, Hungary, Iceland, India, Indonesia, Iran (Islamic Republic of), Ireland, Italy, Jamaica, Japan, Jordan, Kazakstan, Kenya, Kuwait, Lao People's Democratic Republic, Latvia, Lebanon, Libyan Arab Jamahiriya, Liechtenstein, Lithuania, Luxembourg, Madagascar, Malaysia, Maldives, Mali, Malta, Marshall Islands, Mauritania, Mauritius, Mexico, Micronesia (Federated States of), Mongolia, Morocco, Mozambique, Myanmar, Nepal, Netherlands, New Zealand, Nicaragua, Niger, Nigeria, Norway, Oman, Pakistan, Panama, Papua New Guinea, Paraguay, Peru, Poland, Portugal, Qatar, Republic of Korea, Republic of Moldova, Romania, Russian Federation, Samoa, Saudi Arabia, Senegal, Singapore, Slovakia, Slovenia, Solomon Islands, South Africa, Spain, Sri Lanka, Sudan, Suriname, Swaziland, Sweden, Syrian Arab Republic, Thailand, The former Yugoslav Republic of Macedonia, Togo, Trinidad and Tobago, Tunisia, Turkey, Uganda, Ukraine, United Arab Emirates, United Kingdom of Great Britain and Northern Ireland, United Republic of Tanzania,

United States of America, Uruguay, Venezuela, Viet Nam, Yemen, Zambia, Zimbabwe.

Against: None.

Abstaining: Israel.

50. Draft resolution A/C.4/50/L.14 was adopted by 142 votes to none, with 1 abstention.*

Draft resolution A/C.4/50/L.15 on operations of the United Nations Relief and Works Agency for Palestine Refugees in the Near East

51. A recorded vote was taken on draft resolution A/C.4/50/L.15.

In favour: Afghanistan, Algeria, Andorra, Angola, Antigua and Barbuda, Argentina, Armenia, Australia, Austria, Azerbaijan, Bahamas, Bahrain, Bangladesh, Barbados, Belarus, Belgium, Belize, Benin, Bhutan, Bolivia, Bosnia and Herzegovina, Botswana, Brazil, Brunei Darussalam, Bulgaria, Burkina Faso, Cameroon, Canada, Cape Verde, Chile, China, Colombia, Côte d'Ivoire, Croatia, Cuba, Cyprus, Czech Republic, Democratic People's Republic of Korea, Denmark, Djibouti, Ecuador, Egypt, El Salvador, Estonia, Ethiopia, Finland, France, Georgia, Germany, Ghana, Greece, Guinea, Guyana, Haiti, Honduras, Hungary, Iceland, India, Indonesia, Iran (Islamic Republic of), Ireland, Italy, Jamaica, Japan, Jordan, Kazakstan, Kenya, Kuwait, Lao People's Democratic Republic, Latvia, Lebanon, Libyan Arab Jamahiriya, Liechtenstein, Lithuania, Luxembourg, Malaysia, Maldives, Mali, Malta, Mauritania, Mauritius, Mexico, Mongolia, Morocco, Mozambique, Myanmar, Nepal, Netherlands, New Zealand, Nicaragua, Niger, Nigeria, Norway, Oman, Pakistan, Panama, Papua New Guinea, Paraguay, Peru, Philippines, Poland, Portugal, Qatar, Republic of Korea, Republic of Moldova, Romania, Samoa, Saudi Arabia, Senegal, Singapore, Slovakia, Slovenia, Solomon Islands, South Africa, Spain, Sri Lanka, Sudan, Suriname, Swaziland, Sweden, Syrian Arab Republic, Thailand, The former Yugoslav Republic of Macedonia, Togo, Trinidad and Tobago, Tunisia, Turkey, Uganda, Ukraine, United Arab Emirates, United Kingdom of Great Britain and Northern Ireland, United Republic of Tanzania, Uruguay, Venezuela, Viet Nam, Yemen, Zambia, Zimbabwe.

Against: Israel, United States of America.

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* The delegation of the Philippines subsequently informed the Committee that, had it participated in the voting, it would have voted in favour.

Abstaining: Marshall Islands, Micronesia (Federated States of), Russian Federation.

52. Draft resolution A/C.4/50/L.15 was adopted by 138 votes to 2, with 3 abstentions.

Draft resolution A/C.4/50/L.16 on revenues derived from Palestinian refugees' properties

53. A recorded vote was taken on draft resolution A/C.4/50/L.16.

In favour: Afghanistan, Algeria, Andorra, Antigua and Barbuda, Bahamas, Bahrain, Bangladesh, Barbados, Belize, Benin, Bhutan, Bolivia, Bosnia and Herzegovina, Botswana, Brazil, Brunei Darussalam, Burkina Faso, Cameroon, Cape Verde, Chile, China, Colombia, Côte d'Ivoire, Cuba, Cyprus, Democratic People's Republic of Korea, Djibouti, Ecuador, Egypt, El Salvador, France, Ghana, Greece, Guinea, Guyana, Haiti, Honduras, India, Indonesia, Iran (Islamic Republic of), Ireland, Jordan, Kenya, Kuwait, Lao People's Democratic Republic, Lebanon, Libyan Arab Jamahiriya, Malaysia, Maldives, Mali, Malta, Mauritania, Mauritius, Mexico, Morocco, Mozambique, Myanmar, Nepal, Nicaragua, Niger, Nigeria, Oman, Pakistan, Panama, Paraguay, Peru, Philippines, Qatar, Republic of Korea, Saudi Arabia, Senegal, Singapore, South Africa, Spain, Sri Lanka, Sudan, Suriname, Syrian Arab Republic, Thailand, Togo, Trinidad and Tobago, Tunisia, Uganda, United Arab Emirates, United Republic of Tanzania, Uruguay, Venezuela, Viet Nam, Yemen, Zambia, Zimbabwe.

Against: Israel, United States of America.

Abstaining: Argentina, Armenia, Australia, Austria, Azerbaijan, Belarus, Belgium, Bulgaria, Canada, Croatia, Czech Republic, Denmark, Estonia, Ethiopia, Finland, Georgia, Germany, Hungary, Iceland, Italy, Jamaica, Japan, Kazakstan, Latvia, Liechtenstein, Lithuania, Luxembourg, Marshall Islands, Micronesia (Federated States of), Netherlands, New Zealand, Norway, Papua New Guinea, Poland, Portugal, Republic of Moldova, Romania, Russian Federation, Samoa, Slovakia, Slovenia, Solomon Islands, Swaziland, Sweden, The former Yugoslav Republic of Macedonia, Turkey, Ukraine, United Kingdom of Great Britain and Northern Ireland.

54. Draft resolution A/C.4/50/L.16 was adopted by 91 votes to 2, with 48 abstentions.

Draft resolution A/C.4/50/L.17 on University of Jerusalem "Al-Quds" for Palestine refugees

55. A recorded vote was taken on draft resolution A/C.4/50/L.17.

In favour: Afghanistan, Algeria, Andorra, Angola, Antigua and Barbuda, Argentina, Armenia, Australia, Austria, Bahamas, Bahrain, Bangladesh, Barbados, Belarus, Belgium, Belize, Benin, Bhutan, Bolivia, Bosnia and Herzegovina, Botswana, Brazil, Brunei Darussalam, Bulgaria, Burkina Faso, Cameroon, Canada, Cape Verde, Chile, China, Colombia, Côte d'Ivoire, Croatia, Cuba, Cyprus, Czech Republic, Democratic People's Republic of Korea, Denmark, Djibouti, Ecuador, Egypt, El Salvador, Estonia, Ethiopia, Finland, France, Georgia, Germany, Ghana, Greece, Guinea, Guyana, Haiti, Honduras, Hungary, Iceland, India, Indonesia, Iran (Islamic Republic of), Ireland, Italy, Jamaica, Japan, Jordan, Kazakstan, Kenya, Kuwait, Lao People's Democratic Republic, Latvia, Lebanon, Libyan Arab Jamahiriya, Liechtenstein, Lithuania, Luxembourg, Malaysia, Maldives, Mali, Malta, Marshall Islands, Mauritania, Mauritius, Mexico, Micronesia (Federated States of), Mongolia, Morocco, Mozambique, Myanmar, Nepal, Netherlands, New Zealand, Nicaragua, Niger, Nigeria, Norway, Oman, Pakistan, Panama, Papua New Guinea, Paraguay, Peru, Philippines, Poland, Portugal, Qatar, Republic of Korea, Republic of Moldova, Romania, Samoa, Saudi Arabia, Senegal, Singapore, Slovakia, Slovenia, Solomon Islands, South Africa, Spain, Sri Lanka, Sudan, Suriname, Sweden, Syrian Arab Republic, Thailand, The former Yugoslav Republic of Macedonia, Togo, Trinidad and Tobago, Tunisia, Turkey, Uganda, Ukraine, United Arab Emirates, United Kingdom of Great Britain and Northern Ireland, United Republic of Tanzania, Uruguay, Venezuela, Viet Nam, Yemen, Zambia, Zimbabwe.

Against: Israel, United States of America.

Abstaining: Russian Federation.

56. Draft resolution A/C.4/50/L.17 was adopted by 138 votes to 2, with 1 abstention.

Explanations of vote

57. Mr. GATILOV (Russian Federation) noted with satisfaction the successes achieved in the Middle East peace process over the past year. Despite continuing difficulties, a basis had now been laid for a qualitatively new political and psychological climate in the region that opened the way for the peaceful coexistence of Palestinians and Israelis and the attainment of specific results in the current negotiating stage, which was both complex and sensitive. It was therefore important that the General Assembly should work to secure the necessary international support for implementation of the agreements already reached, as well as provide for a firm and stable Palestinian-Israeli dialogue. As a sponsor of the Middle East peace process, his Government wholly supported the humanitarian activities of UNRWA, which could do a great deal to ensure the swift implementation of such agreements, particularly concerning the provision of economic and technical assistance. Some of the draft resolutions, however, still contained provisions that went beyond the strictly humanitarian mandate of

UNRWA. His delegation had therefore abstained in the vote on draft resolutions A/C.4/50/L.15-17.

58. Mr. TAKAHASHI (Japan) said his delegation had voted in favour of draft resolution A/C.4/50/L.11 on the understanding that the reference to General Assembly resolution 194 (III), contained in the first preambular paragraph, meant that the refugee problem would be discussed during negotiations between the parties concerned, as provided for in the Declaration of Principles on Interim Self-Government Arrangements.

59. Mrs. MENENDEZ (Spain), speaking on behalf of the European Union, said that its member States had voted in favour of draft resolution A/C.4/50/L.11 in view of their belief that UNRWA, with its operational capacity and extensive experience, was in a prominent position to complement and consolidate the Middle East peace process. Unfortunately, however, support for the renewal of the UNRWA mandate had not been unanimous, for which reason the European Union had been unable to repeat its previous practice of submitting that particular draft resolution. The contribution made by UNRWA was beyond all doubt. She therefore urged all States to provide the means needed to carry out its mission.

60. Mr. SAMADI (Islamic Republic of Iran) said that he had joined the consensus on draft resolution A/C.4/50/L.12 and voted in favour of the remaining draft resolutions. However, he expressed his reservation concerning any provisions in the texts that could be construed as indicating recognition of Israel.

61. Mr. JELBAN (Libyan Arab Jamahiriya) said that his delegation had voted in favour of all the draft resolutions. He wished to place on record, however, its reservation concerning any provision that could be interpreted as constituting any recognition of Israel or any welcome of the so-called peace process. It was inconceivable that any solution to the Palestinian problem should fail to take into consideration the inalienable rights of the Palestinian people to return to its homeland and exercise self-determination, independence and national sovereignty, as well as its right to establish a State in the entirety of Palestine.

62. Ms. MAWHINNEY (Canada) said that Canada had abstained in the vote on draft resolution A/C.4/50/L.16 because the language of the text failed to take into account the multilateral negotiations currently under way. Her delegation was concerned that, in its current form, the draft resolution might prejudice the outcome of those negotiations.

63. Mr. KEENE (United States of America) said that the United States would continue to support the important educational, health, social and humanitarian relief programmes of UNRWA as the Agency entered an important new phase. His Government was disappointed that the efforts to reach a consensus on the renewal of the Agency's mandate had not been successful. Regrettably, the sponsors of draft resolution A/C.4/50/L.11 on assistance to Palestine refugees had chosen to introduce the draft in a manner that had forced his delegation to abstain in the vote. As the Agency's largest donor, the United States would have preferred a consensus resolution which truly reflected both the regard in which UNRWA was held by the Committee and the Agency's achievements. The mission of UNRWA

should not be tied to a political agenda, especially at a time of dramatic changes in the relationship between Israel and the Palestinians.

64. His Government attached great importance to the successful resolution of the question of the status and future of Palestinian refugees in the context of the Arab-Israeli negotiations. In view of the critical role of UNRWA in those efforts, his delegation supported the proposal to transfer the Agency's headquarters to the region. It continued to believe, however, that attempts to misuse UNRWA or the Committee's resolutions in order to make political statements would prejudice the outcome of the important negotiations which the parties themselves had agreed to pursue. The fact that members of the Committee still failed to fully recognize that important process was a matter of some concern.

65. Mr. SHAKED (Israel) said that Israel had voted against draft resolution A/C.4/50/L.11 because it addressed political issues which had nothing to do with UNRWA and which were contrary to the spirit of the agreements signed between the Israelis and Palestinians. It was important, however, for UNRWA to continue to provide humanitarian assistance to Palestinian refugees and his delegation therefore supported the proposed extension of the Agency's mandate until 30 June 1999.

AGENDA ITEM 92: THE SITUATION IN THE OCCUPIED TERRITORIES OF CROATIA (continued) (A/50/648; A/C.4/50/6)

66. Mr. DROBNJAK (Croatia) said that, in view of the current delicate stage of the peace process following the signing on 12 November 1995 of the basic agreement on the region of Eastern Slavonia, Baranja, and Western Sirmium and the initialling of the general framework agreement on 21 November 1995 by the Presidents of Bosnia and Herzegovina, Croatia and Serbia, the Committee should not proceed with the debate on the item before it and should defer it instead to the fifty-first session.

67. Mr. FEDOTOV (Russian Federation) said that his delegation supported the proposal to defer consideration of the item to the fifty-first session of the General Assembly. The international community, however, must remain attentive to developments in the former Yugoslavia. He was particularly concerned over the egregious human rights abuses committed against the Serb population following the military operations of the Croatian forces. There had been numerous reports of disappearances, harassment and other forms of ill-treatment as well as the destruction of houses and entire villages by the Croatian armed forces. Many of the victims had been elderly civilians. The Russian Federation firmly believed that those guilty of violating international humanitarian law should bear individual responsibility for their actions.

68. At the same time, however, the signing on 12 November 1995 of the basic agreement on the region of Eastern Slavonia, Baranja, and Western Sirmium and the initialling of the general framework agreement by the Presidents of Bosnia and Herzegovina, Croatia and Serbia on 21 November 1995 represented a spark of hope that it might be possible to avoid further tragedy in the region by defusing tensions and removing some of the irritants in relations between Croatia and the Federal Republic of Yugoslavia (Serbia and Montenegro). In the

interests of all the peoples of the region, it was essential for the agreements to be implemented in good faith by the parties concerned.

69. Mr. PÉREZ-GRIFFO (Spain), speaking on behalf of the European Union and of Bulgaria, Cyprus, the Czech Republic, Estonia, Iceland, Latvia, Lithuania, Malta, Norway, Poland, Romania and Slovakia, welcomed the signing on 12 November 1995 of the basic agreement between the Croatian Government and the local Serb representatives on transitional arrangements for the region of Eastern Slavonia, Baranja and Western Sirmium. The agreement, which recognized the sovereignty of Croatia over Eastern Slavonia and guaranteed the rights of the local Serb population, represented a major step forward, and the European Union wished to pay tribute to the moderation of the leaders involved on all sides and to the efforts of United Nations personnel, the Co-Chairmen of the Steering Committee of the International Conference on the Former Yugoslavia, and the personnel of other international organizations, who had all helped to bring about a political solution. Eastern Slavonia could serve as an example of peaceful coexistence if displaced Croatians were allowed to return home and the local Serb population allowed to remain. The European Union called upon the Republic of Croatia, the local Serb representatives and the Federal Republic of Yugoslavia (Serbia and Montenegro) to cooperate in good faith in the implementation of the basic agreement.

70. The European Union was committed to the independence, sovereignty and territorial integrity of the Republic of Croatia, within its internationally recognized borders. It had always called for a peaceful solution to the problem, and welcomed the decision of the Croatian authorities to opt for the peaceful reintegration of their territory. Violence had destroyed human lives, property and the peaceful coexistence of different peoples. The main challenge would therefore be to restore hope and to offer decent living conditions to those who still suffered the consequences of the catastrophe. The uncertainty that surrounded the fate of hundreds of missing persons should also not be forgotten. The European Union condemned the widespread violence and serious violations of human rights and international humanitarian law in various parts of the former Yugoslavia. The perpetrators of those crimes could not be allowed to escape with immunity and would be held personally responsible for their actions. In that connection, the parties must cooperate with the International Tribunal for the former Yugoslavia and fully comply with its decisions.

71. Recalling Security Council resolutions 1009 (1995) and 1019 (1995), the European Union was deeply concerned by the Secretary-General's report on the situation in the occupied territories of Croatia (A/50/648), and in particular by the chapter on Croatia of the report of the Special Rapporteur of the Commission on Human Rights (A/50/727) regarding the situation of human rights in the former Yugoslavia. It deplored the serious violations of human rights and international humanitarian law in those territories following offensives by Croatian forces the previous summer. The mass exodus of Croatian Serbs was a direct consequence of the dynamics of ethnic cleansing, and the Croatian authorities must bring to justice those members of Croatia's armed forces whose misdeeds could be established.

72. Without genuine improvements in the human rights situation, the peace agreement would lack a solid foundation. The behaviour of all parties with

regard to respect for human rights and the rights of minorities, as well as their cooperation with and compliance with the decisions of the International Tribunal for the former Yugoslavia, would be closely monitored by the European Union.

73. Finally, the European Union had no difficulty in accepting the proposal to defer consideration of the item to the fifty-first session of the General Assembly.

74. Mr. VERDIER (Argentina) said that the signing of the basic agreement on the region of Eastern Slavonia, Baranja and Western Sirmium and the initialling of the general framework agreement by the Presidents of Bosnia and Herzegovina, Croatia and Serbia marked the beginnirg of a new phase in the search for peace in the former Yugoslavia. While it would be difficult to forget the past, peace in the region was possible if the parties respected human rights and honoured their international obligations. The basic agreement acknowledged the sovereignty and territorial integrity of Croatia while also guaranteeing respect for human rights throughout the territory of the Republic, and especially those of the minority Serb population. The Croatian Government must take steps to ensure that those refugees and displaced persons who wished to return home were permitted to do so. Finally, he wished to appeal to the parties to the conflict to comply with the decisions of the International Tribunal.

75. Mr. JANSEN (Canada) expressed the hope that the recent signing of the basic agreement on the region of Eastern Slavonia, Baranja, and Western Sirmium and the initialling of the general framework agreement by the Presidents of Bosnia and Herzegovina, Croatia and Serbia would help prevent a recurrence of the suffering which the people of the region had endured during the previous four years. The agreements were a victory for common sense and for the restraint shown by all parties to the conflict. It was now important for the parties to implement without delay and in good faith the human rights standards laid down in the agreements. Canada condemned all violations of human rights and hoped that the parties concerned would cooperate with the International Tribunal. The violations of human rights and international humanitarian law by Croatian forces which were mentioned in the Secretary-General's report on the situation in the occupied territories of Croatia (A/50/648) were a cause of deep concern, and Canada called upon the Croatian Government to prosecute those responsible, to do everything in its power to protect fundamental human freedoms in the territories under its control, and to permit the safe return of refugees and displaced persons.

76. Mr. DROBNJAK (Croatia), speaking in exercise of the right of reply, said that the Third Committee, in whose deliberations Croatia participated fully, was the proper forum to debate the issue of protection of the human rights of minorities.

COMPLETION OF THE COMMITTEE'S WORK

77. The CHAIRMAN, after reviewing the Committee's work during the session, said that the Committee had concluded the consideration of its agenda for the fiftieth session of the General Assembly.

The meeting rose at 5.30 p.m.